THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA

Gary MacKay and Dan Hewson	2:19-cv-001192-NR
Plaintiffs	
-vs-	
Steve Campbell	
Defendant	

FILED
NOV 05 2019
CLERK U.S. DISTRICT COURT
WEST. DIST OF PENNSYLVANIA

DEFENDANTS' MOTION #1 FOR

DISMISSAL FOR WANT OF JURISDICTION AND STANDING

Having duly sworn to the Affidavit on October 18th 2019 in response to the Plaintiff's Summons in a Civil Action filed with the Court on September 17th 2019, received by the undersigned on October 3rd 2019; the undersigned acknowledges receipt of the notice of this matter's placement into the United States District Court for the Western District of Pennsylvania's Alternative Dispute Resolution (ADR) program. Based on the documentation in the Affidavit of 18th 2019, Defendants now move for judicial approval for the following:

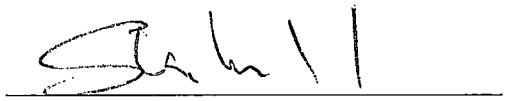
Whereas the Plaintiff's have made use of an alleged "Obligation" to Tube-Mac Industries Inc. to justify Jurisdiction, Venue and Standing, the Plaintiffs have not provided any evidence of said obligation. It is the Defendants position that for said obligation to be valid and binding on the Defendants; it requires that the Defendants had been duly and properly apprised of said obligation in writing during the time span of the alleged events or omissions giving rise to the claim.

The Defendants hereby request that the court demand that the Plaintiff's produce documentation to prove said "Obligation" was properly communicated to the Defendants in writing during the time span of the alleged events or omissions giving rise to the claim. As additional backup to said evidence of "Obligation", the Defendants also hereby request that court demand that the Plaintiff's produce complete unredacted, audited and certified financial statements for Tube-Mac Industries Inc. from the end of the first quarter of 2007 through the end of the third quarter of 2019 to prove or disprove any financial "Obligation" by the Defendants to the Tube-Mac Industries Inc.

The allotted time to produce the two required pieces of evidence of said "Obligation" shall be for discovery during the ADR having been filed with the court on or before the dates agreed to as part of the DEFENDANTS' MOTION #4 FOR EXPEDITING PROCEEDINGS.

If the Plaintiffs are unable or unwilling to comply with both requests for discovery at the ADR; or after compliance, neither request confirms the existence of any financial or contractual "Obligation" to which the Defendants were properly apprised of in writing during the timespan of the alleged events or omissions giving rise to the claim:

WHEREFORE, Defendants respectfully request that the Court grant this motion and Dismiss this case for Want of Jurisdiction and Standing on the basis that Tube-Mac Industries Inc. is not a bona vide Plaintiff and the remaining Plaintiffs have no standing without Tube-Mac Industries Inc in this vexatious and frivolous Civil Suit.

Date: November 6, 2019

Respectfully,
Steven Clouston Campbell